IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 460 OF 2004
IN
PETITION NO. 646 OF 2001

Brihan Mumbai Municipal Corporation... Petitioners.

Vs.

Sharda Dyeing & Printing Works & Ors..Respondents

Mr. H. Toor i/by Crawford Bayley & Co. for Petitioner.

Mr. T.G. Vora i/by N.V. Parikh for Respondent No. 1.

CORAM : F.I. REBELLO,J.
DATED : OCTOBER 08, 2004

P.C.

. The learned counsel for the respondent seeks time on the ground that counsel is not available. This is motion for setting aside order for dismissal in default. Adjournment rejected.

. In my opinion, cause shown would amount to sufficient cause. At the highest, Respondent No. 1 can be compensated in terms of money. On behalf of the Petitioners, it is pointed out that the Respondents are owing total Rs.1.36 crores. In the light of that cost of Rs.2500/- be adjusted against the amount respondent owe to the petitioners. In the event it is held that no amount is due and owing by the Respondents, then question of payment of the said costs will be considered at the hearing and final disposal of the petition.

. Motion stands disposed of accordingly.

(F.I. REBELLO,J.)